

JS 44 (Rev. 12/07)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**  
Winder & Counsel, P.C.**DEFENDANTS**  
Central Intelligence Agency(b) County of Residence of First Listed Plaintiff Salt Lake County  
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed Defendant District of Columbia  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)  
Donald J. Winder, Jerald V. Hale  
Winder & Counsel, P.C., 175 West 200 South, Suite 4000, Salt Lake City,  
UT, 84110

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |  | PTF                        | DEF                        |
|---|----------------------------|----------------------------|--|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated <i>or</i> Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation   | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input checked="" type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

5 U.S.C. 552

Brief description of cause:

Violation of FOIA for failure to produce documents**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:

☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

5/22/2009

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

Donald J. Winder, dwinder@winderfirm.com, #3519  
Jerald V. Hale, jhale@winderfirm.com, #8466  
WINDER & COUNSEL, P.C.  
175 West 200 South #4000  
P. O. Box 2668  
Salt Lake City, Utah 84110-2668  
Telephone: (801) 322-2222

*Attorneys for Plaintiff*

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

WINDER & COUNSEL, P.C.,  
Plaintiff,

vs.

CENTRAL INTELLIGENCE AGENCY,  
Defendant.

**COMPLAINT**

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

Plaintiff Winder & Counsel, P.C., by and through its attorneys alleges the following:

1. This claim arises under the Freedom of Information Act ("FOIA") codified in Title 5 of the United States Code section 552.
2. Plaintiff seeks declaratory and injunctive relief for production of 39 requested documents.

### JURISDICTION AND VENUE

3. This court has subject matter jurisdiction under 5 U.S.C. § 552(a)(4)(B). Venue lies in this district pursuant to 5 U.S.C. §552(a)(4)(B).

### PARTIES

4. Plaintiff Winder & Counsel, P.C., (“Winder & Counsel”) is located and operates in Salt Lake City, Utah.

5. Defendant Central Intelligence Agency (“CIA”) is an agency of the United States government with offices located in Washington D.C.

### BACKGROUND

6. Plaintiff mailed a FOIA request to the CIA on December 28, 2007 (“December 2007 FOIA Request”), a copy of which is attached hereto as Exhibit “A.”

7. Specifically, Plaintiff requested copies of 39 documents cited in the 9/11 Commission Report and the 9/11 Commission Staff Monogram on Terrorist Travel as well as any related reports mentioning Iran.

8. On January 15, 2008, the CIA mailed a letter acknowledging receipt of Plaintiff’s December 2007 FOIA request, a copy of which is attached hereto as Exhibit “B.”

9. The CIA accepted the request for production and agreed to process the 39 documents but denied request number 26. *See* Exhibit B. The CIA acknowledged an overload of requests and stated they would be unable to produce the documents within 20 working days as required by statute.

10. On February 22, 2008, Jerald Hale, on behalf of Winder & Counsel, mailed a letter requesting an updated status report, a copy is attached as Exhibit "C."

11. On March 14, 2008, the CIA responded to the request for an updated status report by mail, a copy of this letter is attached as Exhibit "D." In the letter, the CIA indicated they were unable to provide a final response as to the date of completion, however, they gave assurances the request was in process. *See* attached Exhibit "D."

12. More than one year has passed since the last correspondence and the CIA has not produced any documents.

13. The requested documents are necessary for the litigation *Havlish, et al. v. Bin Laden, et al.*, Case No. 1:02CV00305, U.S. District Court for the District of Columbia, now in MDL in N.Y.C., as well as for informing the public.

#### CLAIM FOR RELIEF

14. The CIA has not made the documents promptly available as required under 5 U.S.C. §552(a)(6)(C)(i).

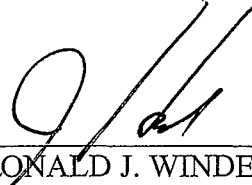
15. The CIA's failure to produce the requested documents is a violation of FOIA.

THEREFORE, Plaintiff respectfully requests this court:

- i. Order Defendant CIA to immediately produce the requested documents;
- ii. Award Plaintiff its costs and reasonable attorney fees incurred under 5 U.S.C. §552 (a)(4)(E)(i); and
- iii. Grant such other relief as this court may deem proper.

DATED this 22 day of May, 2009.

WINDER & COUNSEL, P.C.



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DONALD J. WINDER  
GERALD V. HALE  
Attorneys for Plaintiff

# **EXHIBIT A**

JERALD V. HALE  
Suite 4000  
175 West 200 South  
PO Box 2668  
Salt Lake City, Utah 84110-2668  
801 322-2222/phone  
801 322-2282/fax  
jhale@winhns.com  
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**WINDER & HASLAM PC**  
BUSINESS AND TRIAL ATTORNEYS

Admitted in Utah and Arizona

December 28, 2007

Information and Privacy Coordinator  
Central Intelligence Agency  
Washington, D.C. 20505

**FREEDOM OF INFORMATION ACT REQUEST**

Dear Sir/Madam:

Under the Freedom of Information Act, 5 U.S.C. subsection 552, I am requesting copies of the following documents be provided to me, cited in the 9/11 Commission Report and the 9/11 Commission Staff Monogram on Terrorist Travel:

- Intelligence reports, interrogations of detainee, Oct. 18, 2001; March 13, 2002
- Intelligence report, interrogation of detainee, Mar. 7, 2002
- Intelligence reports, interrogations of Khaled Sheikh Mohammed [KSM], Aug. 20, 2003; Sept 12, 2003; July 16, 2004
- Intelligence report, interrogation of Khallad, Sept. 12, 2003
- Intelligence report, interrogation of detainee, Sept. 30, 2003
- CIA analytic report, "Iran and al-Qa'ida: ties forged in Islamic Extremism," CTC 2004-400009HCZ, March 2004
- Intelligence report, analysis of Hezbollah, Iran, and 9/11, Dec. 20, 2001
- Intelligence report, interrogation of Binalshibh, July 16, 2004
- Intelligence report, Hezbollah activities, Oct. 11, 2001
- Intelligence report, operative's travel to Saudi Arabia, Aug. 9, 2002
- Intelligence reports, hijacker activities, Oct. 11, 2001; Oct. 29, 2001; Nov. 14, 2001
- Intelligence report, operative's claimed identification of photos of two Sept. 11, hijackers, Aug. 9, 2002
- Intelligence reports, hijacker activities, Oct. 2, 2001; Oct. 31, 2001
- Intelligence reports, hijacker activities, Oct. 19, 2001; Dec. 7, 2001
- Intelligence report, interrogation of KSM, July 16, 2004
- Intelligence report, interrogation of Binalshibh, July 16, 2004
- Intelligence report, Hezbollah and Sunni terrorist activities, Sept. 21, 2001
- Intelligence report, Hezbollah denies involvement in 9/11, Sept. 22, 2001
- CIA analytic report, "Al-Qa'ida in Sudan, 1992-1996: Old School Ties Lead Down Dangerous paths," CTC 2003-40028CHX, March 10, 2003.
- CIA analytical report, "The Plot and the Plotters," June 1, 2003.



- Intelligence report, interrogation of Khallad [Tawfiq Bin Attash], Aug. 8, 2003
- Intelligence report, interrogation of Khallad [Tawfiq Bin Attash], Aug. 21, 2003
- Intelligence report, interrogation of Khallad [Tawfiq Bin Attash], Sept. 26, 2003
- Intelligence report, interrogation of Khallad [Tawfiq Bin Attash], Sept. 27, 2003
- Intelligence report, interrogation of Khallad [Tawfiq Bin Attash], Nov. 26, 2003
- Any other interrogation reports of Khallad that mention Iran.
- Intelligence report, interrogation of detainee, March 16, 2003.
- CIA analytic report, Analysis of Passports, Nov. 20, 2002
- Intelligence report, information from Saudi detainees on mujahedin travel to Afghanistan via Iran, March 13, 2002.
- Intelligence report, interrogation of Abu Zubaydah, Oct. 10, 2002.
- CIA analytic report, "Clandestine Travel Facilitators: Key Enablers of Terrorism," Dec. 31, 2002.
- Intelligence report, "Information from Saudi detainees on Mujahedin travel to Afghanistan via Iran," Mar. 13, 2002.
- A Reference Guide for Terrorist Passports, CIA, Directorate of Intelligence (Terrorist Mobility Branch), Oct. 21, 2002
- Analysis of Passports, CIA, Directorate of Intelligence (Terrorist Mobility Branch), Jan. 2004.
- CIA analytic report, "A Reference Guide for Terrorist Passports," Apr. 14, 2003.
- Intelligence Report, interrogation of Ramzi Binalshibh, Oct. 11, 2002.
- Intelligence Report, interrogation of KSM, Sept. 9, 2003
- CIA analytic report, "Al Qaeda Travel Issues," Jan. 2004.
- Intelligence report, interrogation of Binalshibh, Oct. 11, 2002.
- Intelligence report, "Collection of 400 Passports of Dead Mujahidin," June 7, 2002.

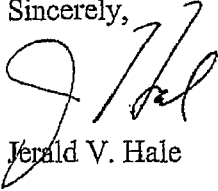
I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest. Specifically, I am trying to seek relief for victims and families of victims of the 9/11 terrorist attacks in the United States and related terrorist attacks outside the United States. If there are any fees for searching for, reviewing, or copying the records, please let me know before you task my request.

If you deny all or any part of this request, please cite each specific exemption you think justifies your refusal to release the information and notify me of appeal procedures available under the law.



If you need to discuss this request, I can be reached at the telephone number listed above.  
Thank you for your consideration of my request.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Hale", written over the printed name.

Jerald V. Hale

## **EXHIBIT B**

Central Intelligence Agency



Washington, D.C. 20505

JAN 15 2008

Mr. Jerald V. Hale  
Suite 4000  
175 West 200 South  
Post Office Box 2668  
Salt Lake City, UT 84110-2668

Reference: F-2008-00625

Dear Mr. Hale:

On 3 January 2008, the office of the Information and Privacy Coordinator received your 28 December 2007 Freedom of Information Act (FOIA) request regarding documents **"cited in the 9/11 Commission Report and the 9/11 Commission Staff Monograph on Terrorist Travel."** In particular, you are interested in the following:

- 1) Intelligence reports, interrogations of detainee, Oct. 18, 2001; March 13, 2002
- 2) Intelligence report, interrogation of detainee, Mar. 7, 2002
- 3) Intelligence reports, interrogations of Khaled Sheikh Mohammed (KSM), Aug. 20, 2003; Sept. 12, 2003; July 16, 2004
- 4) Intelligence report, interrogation of Khallad, Sept. 12, 2003
- 5) Intelligence report, interrogation of detainee, Sept. 30, 2003
- 6) CIA analytic report, "Iran and al-Qa'ida: ties forged in Islamic Extremism," CTC 2004-400009HCZ, March 2004
- 7) Intelligence report, analysis of Hezbollah, Iran, and 9/11, Dec. 20, 2001
- 8) Intelligence report, interrogation of Binalshibh, July 16, 2004
- 9) Intelligence report, Hezbollah activities, Oct. 11, 2001
- 10) Intelligence report, operative's travel to Saudi Arabia, Aug. 9, 2002
- 11) Intelligence reports, hijacker activities, Oct. 11, 2001; Oct. 29, 2001; Nov. 14, 2001
- 12) Intelligence report, operative's claimed identification of photos of two Sept. 11, hijackers, Aug. 9, 2002
- 13) Intelligence reports, hijacker activities, Oct. 2, 2001; Oct. 31, 2001
- 14) Intelligence reports, hijacker activities, Oct. 19, 2001; Dec. 7, 2001
- 15) Intelligence report, interrogation of KSM, July 16, 2004
- 16) Intelligence report, interrogation of Binalshibh, July 16, 2004
- 17) Intelligence report, Hezbollah and Sunni terrorist activities, Sept. 21, 2001

- 18) Intelligence report, Hezbollah denies involvement in 9/11, Sept. 22, 2001
- 19) CIA analytic report, "Al-Qa'ida in Sudan, 1992-1996: Old School Ties lead Down Dangerous Paths," CTC 2003-40028CHX, March 10, 2003
- 20) CIA analytical report, "The Plot and the Plotters," June 1, 2003
- 21) Intelligence report, interrogation of Khallad (Tawfiq Bin Attash), Aug. 8, 2003
- 22) Intelligence report, interrogation of Khallad (Tawfiq Bin Attash), Aug. 21, 2003
- 23) Intelligence report, interrogation of Khallad (Tawfiq Bin Attash), Sept. 26, 2003
- 24) Intelligence report, interrogation of Khallad (Tawfiq Bin Attash), Sept. 27, 2003
- 25) Intelligence report, interrogation of Khallad (Tawfiq Bin Attash), Nov. 26, 2003
- 26) Any other interrogation reports of Khallad that mention Iran
- 27) Intelligence report, interrogation of detainee, March 16, 2003
- 28) CIA analytic report, Analysis of Passports, Nov. 20, 2002
- 29) Intelligence report, information from Saudi detainees on mujahedin travel to Afghanistan via Iran, March 13, 2002
- 30) Intelligence report, interrogation of Abu Zubaydah, Oct. 10, 2002
- 31) CIA analytic report, "Clandestine Travel Facilitators: Key Enablers of Terrorism," Dec. 31, 2002
- 32) Intelligence report, "Information from Saudi detainees on Mujahedin travel to Afghanistan via Iran," Mar. 13, 2002
- 33) A Reference Guide for Terrorist passports, CIA, Directorate of Intelligence (Terrorist Mobility Branch), Oct. 21, 2002
- 34) Analysis of Passports, CIA, Directorate of Intelligence (Terrorist Mobility Branch), Jan. 2004
- 35) CIA analytic report, "A Reference Guide for Terrorist Passports," Apr. 14, 2003
- 36) Intelligence Report, interrogation of Ramzi Binalshibh, Oct. 11, 2002
- 37) Intelligence Report, interrogation of KSM, Sept. 9, 2003
- 38) CIA analytic report, "Al Qaeda Travel Issues," Jan. 2004
- 39) Intelligence report, interrogation of Binalshibh, Oct. 11, 2002
- 40) Intelligence report, "Collection of 400 Passports of Dead Mujahidin," June 7, 2002

We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

Regarding items no. 1-25 and 27-40, we accept your request and will process it in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431, as amended. Unless you object, we will limit our search to CIA-originated records existing through the date of this acceptance letter.

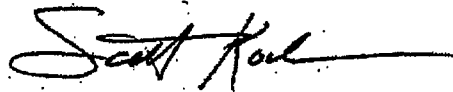
In regard to item no. 26, we are unable to determine what records you are seeking. For your information, the FOIA provides for public access to "reasonably described" records. This means that documents must be described sufficiently to enable a professional employee familiar with the subject to locate the document without an

unreasonable amount of effort. Commonly this equates to a requirement that the documents must be locatable through the indexing to our various records. In sum, the FOIA does not require federal agencies to perform research, answer questions, or *conduct unreasonable searches* through a body of material to see if any of it is related to a particular request.

Concerning your request for a fee waiver, we have determined that your request meets fee waiver criteria. Therefore, your request for a fee waiver is granted.

The large number of FOIA requests CIA receives has created unavoidable processing delays making it unlikely that we can respond within the 20 working days the FOIA requires. You have the right to consider our honest appraisal as a denial of your request and you may appeal to the Agency Release Panel. A more practical approach would permit us to continue processing your request and respond to you as soon as we can. You will retain your appeal rights and, once you receive the results of our search, can appeal at that time if you wish. We will proceed on that basis unless you tell us you object.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Koch", with a long horizontal flourish extending to the right.

Scott Koch  
Information and Privacy Coordinator

# **EXHIBIT C**

JERALD V. HALE  
Suite 4000  
175 West 200 South  
PO Box 2668  
Salt Lake City, Utah 84110-2668  
801 322-2222/phone  
801 322-2282/fax  
jhal@winhas.com  
www.winhaslaw.com

**WINDER & HASLAM PC**  
BUSINESS AND TRIAL ATTORNEYS

Admitted in Utah and Arizona

February 22, 2008

Scott Koch  
Information and Privacy Coordinator  
Central Intelligence Agency  
Washington, D.C. 20505

**Re: F-2008-00625**  
*Freedom of Information Act Request Follow-up*

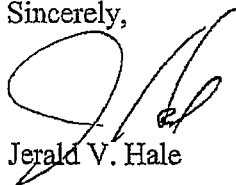
Dear Scott:

Thank you for your letter dated January 15, 2008 wherein you advised my requests under the Freedom of Information Act, 5 U.S.C. § 552 were accepted, and that processing had begun on the requested documents.

You indicated your office would not be able to respond within the 20 working days required by FOIA, but that your office would continue to process the requests and respond as soon as possible. I write to request an updated status report. Please advise if you are able at this time to make a determination as to when your office may be able to fully process my request.

Thank you for your attention to this matter and I look forward to hearing from you.

Sincerely,



Jerald V. Hale



## **EXHIBIT D**



Central Intelligence Agency



Washington, D.C. 20505

MAR 14 2008

Mr. Jerald V. Hale  
Suite 4000  
175 West 200 South  
Post Office Box 2668  
Salt Lake City, UT 84110-2668

Reference: F-2008-00625

Dear Mr. Hale:

This acknowledges receipt of your letter dated 22 February 2008, received 29 February 2008, concerning your 28 December 2007 Freedom of Information Act request.

We are sorry that we cannot provide a final response at this time. Please note, our response time is unfortunately predicated on the number and complexity of the requests we receive. Further, although the processing of requests is managed and directed by this office, the CIA's records systems are decentralized, diverse, and compartmented. This means that each of the various components within the Agency maintains its records separately for security reasons and indexes material in a way that is most efficient for its intelligence-related responsibilities. The handling of requests by this agency is unique in that the search and any subsequent review must be conducted by intelligence officers with specialized knowledge and experience.

Please be assured your request is still in process. We are making every effort possible to finalize your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Koch".

Scott Koch

Information and Privacy Coordinator